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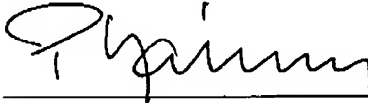
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TO:	USPTO Examiner: S.B. McCormick Ewoldt Art Unit 1654	FROM:	Peter Zahner Applicant
FAX NUMBER:	1-703-872-9306	DATE:	November 29, 2004
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NOTES/COMMENTS:

Response to a Restriction Requirement



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TRANSMITTAL FORM	Application Number	10/643,270	
	Filing Date	08/19/2003	
	First Named Inventor	Peter Zahner	
	Art Unit	1654	
	Examiner Name	S.B.E. McCormick	
(to be used for all correspondence after initial filing)			
Total Number of Pages in This Submission	3	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
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Response to Requirement for Restriction

Application Ser. No. 10/643,270

This communication is a response to a restriction requirement by the examiner having a mailing date of 11/22/2004 and setting forth a shortened statutory period for response which would expire on 12/22/2004.

The examiner identifies two invention:

- I. Claims 1 - 15 drawn to a composition comprising extracts of green tea;
- II. Claims 16 - 23 drawn to a method of protecting the skin from UVA and UVB damage.

The applicant hereby elects claims 1 - 15 of group I to be prosecuted. This election is made with traverse. The method claims are rather specific to the ingredients recited in claims 1 - 15 and are very specific to the assemblage of the ingredients. The applicant cannot agree with the examiner's reasoning that there are numerous methods of protecting the skin from the damage of UVA and UVB (including clothing) which do not require any of the products of group I such as topical administration of green tea. Yes, there are numerous methods but not as specific as applicant's method claims.



Peter Zahner

Date: 11/29/04